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COMMITTEES:  
BUDGET

ARMED SERVICES

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**Washington, DC 20515**

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October 19, 2005

The Honorable Mark McClellan  
Administrator  
Centers for Medicare and Medicaid Services  
Department of Health and Human Services  
Attn: CMS-1427-P  
P.O. Box 8010  
Baltimore, Maryland 21244-8018

Dear Dr. McClellan:

I am writing to you to ask for your urgent assistance on behalf of the senior citizens in my district. In the past two weeks, many seniors have called or written to me to express their frustration, confusion and apprehension over the new Medicare drug benefit that is scheduled to go into effect on January 1, 2006.

I am gravely concerned that seniors are not being provided the help they need to make informed decisions about their drug coverage. For example:

- Seniors have no way to objectively evaluate the bewildering deluge of marketing materials now flooding their mailboxes and determine which plan best fits their individual needs. Members of my staff have collected materials for a number of plans and have found it impossible to compare these options based on the types of drugs that are being covered and the amount of premiums, co-pays and deductibles. The lack of standardized, easy-to-understand information means that seniors can't tell what their bottom-line, out-of-pocket expenses are going to be.
- Many seniors report being subjected to high-pressure tactics from plan providers who are emphasizing a December 31 deadline for enrollment. Seniors feel pressured to join a plan simply to beat the deadline, and often without a full understanding of a plan's benefits.
- Seniors are concerned that they will make the wrong decision in choosing a plan and will be unable to switch for a full year. The consequences of a poor choice can be devastating if a particular needed drug is not covered. The provision of a grace period would greatly help seniors who need to switch plans.
- Some seniors are falling victim to fraud, and there are no resources to assist those who have been swindled. According to a recent article in the *Wall Street Journal*,

consumer watchdog groups are bracing for an outbreak of Medicare scams targeted at vulnerable seniors. Seniors need to be warned about guarding personal information and ensuring that a plan is licensed. Many seniors also do not know that the drug benefit is voluntary and that opting not to join a plan will not result in a loss of their Medicare benefits.

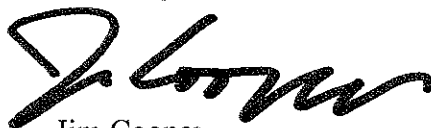
- Seniors have no one to call for advice. Phone calls to 1-800-MEDICARE have resulted in long, frustrating delays before a human voice comes on the line, and those seniors who do have Internet access have found the [www.medicare.gov](http://www.medicare.gov) website to be difficult to use and confusing. For example, the list of plans offered in Tennessee includes 41 different plans from 19 different companies, a separate listing of "Medicare Advantage Prescription Drug Plans" and no information about the specific drugs that are covered. In addition, information about premiums and deductibles is confusing and non-specific. Under the information provided for Prescription Pathways, for example, the list provides a range of premiums, "\$53.31 - \$69.98," and a range of deductibles, "\$0 - \$250," with no explanation. Seniors should have ready access to counselors who can help them navigate the paperwork, answer individualized questions and provide objective and unbiased advice.

Our nation's seniors are counting on the federal government to deliver to them a promised benefit, and it is the obligation of your agency to ensure that seniors get the help they need. For many seniors, no other health care decision this year will be as important.

I respectfully request that your agency provide my office with details on how your staff intends to correct the problems that I have highlighted in the paragraphs above. I would greatly appreciate your reply by no later than November 1, 2005, in order to ensure that steps toward implementation are in place before the enrollment period begins on November 15.

Thank you again for your prompt attention, and I look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Cooper", written in a cursive style.

Jim Cooper  
Member of Congress